

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

6 \* \* \*

7  
8 NATHAN SCOTT,

9 Plaintiff,

Case No. 2:18-cv-01531-JCM-PAL

10 v.

ORDER

11 NEVADA CREDICO INC.,

12 Defendant.

13  
14 Presently before the court is plaintiff Nathan Scott's ("plaintiff") motion to reopen case.  
15 (ECF No. 7).

16 On December 19, 2018, the court ordered dismissal of plaintiff's case pursuant to Federal  
17 Rule of Civil Procedure ("FRCP") 4(m) for plaintiff's failure to submit proof of service upon  
18 defendants. (ECF No. 5).

19 According to plaintiff, defendant was properly served on August 23, 2018; however,  
20 plaintiff's "counsel inadvertently neglected to file the [a]ffidavit of [s]ervice." (ECF No. 7).  
21 Thereafter, on November 16, 2018, the court entered a notice of intent to dismiss the case  
22 pursuant to FRCP 4(m) if plaintiff did not file an affidavit of service by December 16, 2018.  
23 (ECF No. 4).

24 Despite receiving the benefit of the court's warning regarding plaintiff's failure to file  
25 proper proof of service, plaintiff again failed to meet his obligation. Now, plaintiff asserts in  
26 conclusory fashion that his failure to provide proper proof of service was the result of "excusable  
27 neglect," without providing any information that would support such a finding. (ECF No. 7).

28 Accordingly, plaintiff's motion is denied, and his case will remain closed.

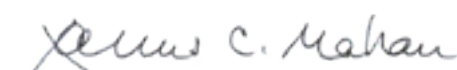
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly,

IT IS ORDERED THAT plaintiff's motion to reopen case (ECF No. 7) be, and the same hereby is, DENIED.

IT IS SO ORDERED.

DATED THIS 5<sup>th</sup> day of April 2019.

  
\_\_\_\_\_  
JAMES C. MAHAN  
UNITED STATES DISTRICT JUDGE